

**FILED**

**FEB 27 2013**

**New Jersey State Board of  
Massage and Bodywork  
Therapy Examiners**

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF MASSAGE AND BODYWORK  
THERAPY

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IN THE MATTER OF THE  
APPLICATION OF

**YEKATERINA KISELEVA**

TO PRACTICE MASSAGE AND  
BODYWORK THERAPY IN THE  
STATE OF NEW JERSEY

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FINAL ORDER OF  
DENIAL OF CERTIFICATION/  
LICENSURE

This matter was opened to the Massage, Bodywork and Somatic Therapy Examining Committee (the Committee) upon receipt of information which the Board of Massage and Bodywork Therapy (the Board) has reviewed and the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Yekaterina Kiseleva submitted an application for certification dated June 7, 2012.
2. On Ms. Kiseleva's application, she checked "no" in response to the question as to whether she had been arrested or charged with any violation of law, or convicted of any crime or offense.

3. Ms. Kiseleva underwent a criminal history background check which indicated that she had been arrested on March 18, 2005, and charged with loitering for the purpose of prostitution, although the charges had been dismissed on May 3, 2005. Ms. Kiseleva stated that she checked "no" in response to the questions because she was very embarrassed by the charges, and believed that because they had been dismissed, they would not be on her record.

4. The Board has since been made aware, through the criminal history flagging system, that Ms. Kiseleva was arrested on October 12, 2012 on charges of prostitution.

#### CONCLUSIONS OF LAW

1. Ms. Kiseleva's failure to disclose on her application that she had been arrested on prostitution charges in 2005, constitutes a violation of N.J.S.A. 45:1-21(b).

Based on the foregoing findings and conclusions, a Provisional Order of Denial of Certification/Licensure was entered on January 8, 2013, provisionally denying Ms. Kiseleva's application for certification, deemed to constitute an application for licensure as of September 4, 2012. A copy of the Order was forwarded to the applicant by certified and regular mail at her address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> business

day following entry unless the applicant requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting the applicant's request for consideration and reasons therefor.

Although the record reflects that the certified mailing of the Provisional Order was unclaimed, and the regular mailing was not returned, no response has been received to date. The Board determined that service had been effected, inasmuch as the mailings were sent to the applicant's address of record with the Board. The Board further determined that as no material discrepancies had been raised with respect to the Findings of Fact and Conclusions of Law, additional proceedings were not necessary, and the Provisional Order should be made final.

ACCORDINGLY,

IT IS on this 27<sup>th</sup> DAY of February , 2013,

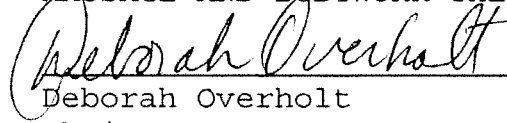
ORDERED that:

1. Ms. Kiseleva's application for certification as a Massage, Bodywork and Somatic Therapist in New Jersey, deemed to constitute an application for licensure as of September 4, 2012

is hereby denied.

NEW JERSEY STATE BOARD OF  
MASSAGE AND BODYWORK THERAPY

By:

A handwritten signature in cursive script, appearing to read "Deborah Overholt", is written over a horizontal line.

Deborah Overholt  
Chairperson